

February 2007

Legislative News

Representative Lyla Berg, Ph.D.
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Mark Your Calendars

January 31—Champions for
Children Day

February 19—President's
Day

Neighborhood Board **Meetings:**

February 1—Neighborhood
Board #2 (Kuliouou/Kalani
Iki)

February 15—Neighborhood
Board #3 (Waialae-Kahala)

February 27—Neighborhood
Board #1 (Hawaii Kai)

February 21—Neighborhood
Board #4 (Kaimuki)

March 14—*3rd Annual
Human Rights Day at the
State Capitol*

Committee **Assignments:**

Education (Vice-Chair)

Agriculture

Economic Development
Concerns

Higher Education

Tourism & Culture

2007 Tax Review Commission Makes Recommendations

The Tax Review Commission briefed members of the House Committees on Finance and Economic Development and Business (EDB) on their report and recommendations regarding state tax policies. The briefing took place in a January 19, 2007 in the capitol auditorium. Rep. Berg is a member of the EDB committee.

The seven member commission, appointed by Gov. Lingle with the advice and consent of the Senate, began meeting in July 2005 and submitted its final report in December 2006 with the assistance of the Department of Taxation and several consultants. By law, a new tax review commission is appointed and asked to make recommendations every five years.

Testimony first highlighted several principles of sound tax policy. According to commission Chairman Isaac Choy, a good overall tax policy needs to be fair, efficient, simple enough to understand, transparent and accountable, adequate for public needs, relatively stable, and should promote business competitiveness.

Based on those principles, the commission strongly advised lawmakers against creating new exemptions to the general excise tax. The commission found that Hawaii's general excise tax, a form of sales tax, is broadly applied and allows for a low tax rate. Even when pyramiding or compounding of the excise tax is taken into account, Hawaii compares very favorably with other parts of the country, where most people pay both state and local sales taxes at higher rates.

The commission was also very critical of Act 221, which provides tax credits to investors in high technology companies, concluding that the tax credits are administered in a manner that make it impossible to assess their effectiveness and creates future liabilities of unknown size.

The commission recommended that legislators "avoid using tax credits as an economic development tool". If the Act 221 tax credits are to be continued, the commission strongly recommended a series of steps to provide openness and accountability, including a confidentiality waiver so that information about companies receiving the credits can be made public.

The Tax Review Commission's full report, consultants' reports, and minutes of commission meetings are available at the Tax Department's web site, www.hawaii.gov/tax.

**E ho'oikaika 'oe me ka
mana'o koa**

set out with courageous thought



Meet the 2007 Staff

Jen Wilbur



Office Manager **Jen Wilbur** assists the Representative with the day-to-day operation and organization of the office and staff. Jen holds a Bachelor's degree in Ethnic Studies from California State University, Sacramento and is pursuing a Master's degree in Ethnic Studies, as well.

Ian Lind



Legislative Aid and Researcher **Ian Lind** is a former award-winning investigative reporter. Ian spent five years as State Director of Common Cause/Hawaii and as a public interest lobbyist. He is working on a variety of issues relevant to the Representative's district and special interests.

Liz Labby



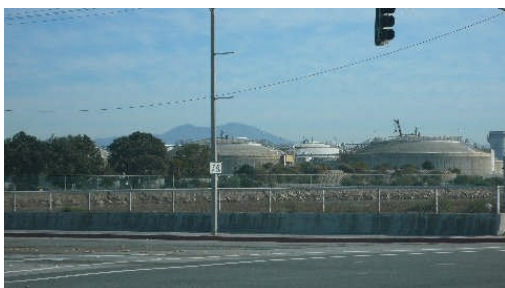
Liz Labby is the Committee Clerk for Education. She holds a Bachelor's degree in Humanities from University of Hawaii—West Oahu, a Graduate Certificate in Historic Preservation and a Master's degree in American Studies from University of Hawaii at Manoa.

Monique Wheeler

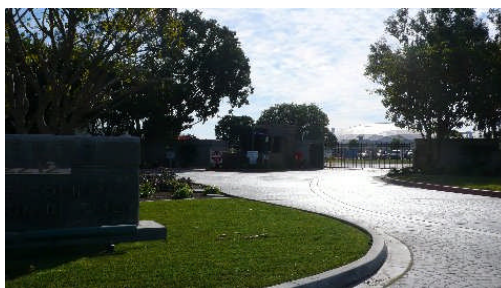


Monique Wheeler will be assisting the office staff and Representative Berg. The 3rd Annual Human Rights Day will be one of her special projects. Monique is pursuing her degree in Political Science at the University of Hawaii at Manoa.

Wastewater Treatment



Chain link fence surrounding Hawaii Kai plant operated by Hawaii American Water Company



Decorative landscaping surrounding Huntington Beach plant in Orange County at the property lines



Representative Berg seeks solutions to Hawaii Kai sewage odors

Repeated complaints about the rotten egg smell that often drifts from the East Honolulu sewage treatment plant across from Sandy Beach prompted Rep. Berg to begin looking for answers to better protect the community from this sometimes unpleasant neighbor. She is traveling to California at the end of January for a site visit to a plant operated by the Huntington Beach Sanitation Department in Orange County, which has a better track record for controlling odors.

Current Department of Health standards allow up to 25 parts per million of Hydrogen Sulfide, the chemical that produces the rotten egg smell. By comparison, according to an entry in Wikipedia, the "recognition threshold" at which 50 percent of people can detect the characteristic odor of hydrogen sulfide is .0047 ppm, far below the DOH standard, and 10-20 ppm is enough to cause eye irritation.

Aizat Joashous



For maps and almanac information on Kyrgyzstan, visit:

<http://www.eurasianet.org/resource/kyrgyzstan/index.shtml>

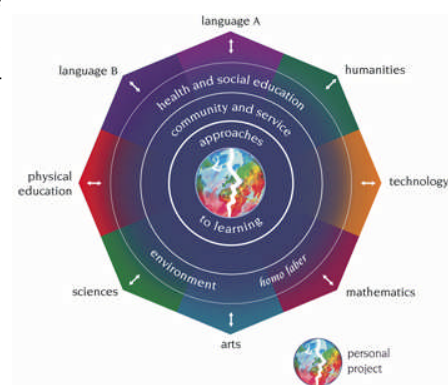
On January 26, Representative Berg hosted an international student who is a foreign guest in the State of Hawaii with the International Hospitality Center. This program gives international participants a chance to understand Hawaii and the United States.

Aizat Joashous, from Kyrgyzstan, is attending Pearl City High School as a senior and shared the day with Representative Berg.

Niu Valley Middle School --"The Dream"

Appreciation and encouragement are to be given to Justin Mew, Principal of NV Middle School, and his staff for their vision, intention, and devotion to life-long learning! They are beginning the journey to become an International Baccalaureate School. For ways in which you can be part of the financial 'dream team,' please contact Mr. Mew at 377 - 2440.

Areas of Interaction:



<http://www.ibo.org/>

ALOHA to Gearld Teramae, Principal of Kalani School -- Welcome to our District!

Power to the Peaceful

20th Hawaii Statewide Peer Mediation Conference

Friday, February 16, 2007

9:00 am to 2:00 pm

McCoy Pavilion, Ala Moana Park

RSVP: Sue Chang

chang@hula.net, or,

Fax: 947-1821

Kaiser High School is one of seven high schools committed to participating in this conference. The peer mediation program enables students to demonstrate leadership for an environment of safety and well-being on their campus by teaching them skills in conflict resolution and consensus building.

Thank you Kaiser High School!

Early Childhood Learning

Congratulations to **Hahaione Elementary School** for their new pre-school class on the school campus, sponsored and staffed by Keiki O Ka`Aina Family Learning Centers.

Please stop by and feel the Aloha Spirit!

For more information, call 397-5822.

"Be the change you wish to see in the world."

Ghandi

Community Forums

If we REALLY had a 'sustainable' Hawaii, what would be the indicators of success?

After the recent earthquake, many communities are turning conversations about Hawaii's 'sustainability' and self-sufficiency into action plans.

Please join us at our upcoming Community Forums focused on building long-term economic empowerment and prosperity for all Hawaii's citizens.

A distinguished panel of presenters will engage us each week in dialogues -- and planning -- regarding ways to create a Local Living Economy.

Kahala Elementary School

7:00--8:30 pm

- *February 28:* "Economic Forecast" for Hawaii
- *March 21:* "Asset Building as Economic Development"
- *April 11:* "Toward a Sustainable Economy"

Ke ala hou

(the new way)

Opening Day at the Legislature



Guests from the 18th district celebrated with us at the capitol.

From left: Natalie Iwasa, Elizabeth Reilly, Thomas Yamabe

As in years past, guests, supporters, and well-wishers were welcomed into the Capitol to help us celebrate the beginning of a new Legislative Session. Abundant lei and food were shared by all who joined us in our office, and in and around the Capitol grounds. The warmth of this day will work to sustain us in our legislative and community work.



Representative Berg's guests in the Chamber on Opening Day:

From left: Catherine Payne, Craig Nakamaoto, Marsha Joyner, Judy Saranchock.

Stay in the Legislative Loop

Visit <http://www.capitol.hawaii.gov> for the latest information on bill status, bill texts, committee reports, schedules, archives, and much more....

Visit <http://www.hawaii.gov/lrb> to view the Hawaii Revised Statutes and copies of various reports and studies.

Visit <http://www.hawaii.gov> to link to various state agencies, including the Governor's Office.

Visit <http://www.capitol.hawaii.gov/site1/info/guide/guide.asp?press1=info&press2=guide> to access **"A Citizen's Guide to the Legislative Process"**. This publication functions as a user's guide to understanding and following the legislative process in Hawaii.

Links for Community Interest:

Aloha United Way

- www.auw.org

"How A Bill Becomes a Law"

- <http://www.hawaii.gov/lrb/pams/bill2law.pdf>

Hawaii State Dept. of Health

- www.state.hi.us/health

Drug Free Hawaii

- www.drugfreehawaii.org

Did You Know...



"Hawaii's landscape services industry has an annual worth of nearly \$500 million and employs more than 10,000 people."

- "Diversifying, Sustaining, Strengthening, 2006 Impact Report", College of Tropical Agriculture and Human Resources, University of Hawaii at Manoa, 2006. p 14.

Acronym	House Committee Name	Acronym	House Committee Name
AGR	Agriculture	HSH	Human Services & Housing
CPC	Consumer Protection & Commerce	INT	International Affairs
EDB	Economic Development & Business Concerns	JUD	Judiciary
EDN	Education	LAB	Labor & Public Employment
EEP	Energy & Environmental Protection	LMG	Legislative Management
FIN	Finance	PSM	Public Safety & Military Affairs
HED	Higher Education	TAC	Tourism & Culture
HLT	Health	TRN	Transportation
WLH	Water, Land Use & Ocean Resources		

Use these acronyms to help guide you through the list of Bills introduced by Representative Berg this Legislative Session.

These Bills are listed on the following pages.

Representative Berg's 2007 Introduced Legislation

HB NUMBER	DESCRIPTION OF BILL	STATUS
476	RELATING TO STATE PROCUREMENT CONTRACTS: Requires the compliance audit unit of the procurement office to conduct ongoing audits and monitoring of state contracts.	Referred to EDB, FIN
477	RELATING TO COASTAL ZONE MANAGEMENT: Requires the denying authority to publish public notice of any denial of an application for a Special Management Area (SMA) Emergency Permit, SMA Minor Permit, and SMA Use Permit within twenty days after denial of the application.	Referred to WLH, FIN
478	RELATING TO HIGHER EDUCATION: Establishes a prepaid tuition program under the state post-secondary education commission.	Referred to HED, FIN
479	RELATING TO MAKUA VALLEY: Requires the State to revoke or renegotiate the permit that allows the U.S. Army to use Makua Valley for live-ammunition field exercises.	Referred to PSM, WLH, JUD, FIN
480	RELATING TO GRAFFITI: Requires persons determined to have caused graffiti damage to pay the cost of having the damaged property repaired or replaced.	Referred to JUD
481	MAKING AN APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION TO INSTALL NAVIGATION LIGHTS ON THE BRIDGE OVER KALANIANA'OLE HIGHWAY AT THE ENTRANCE TO THE HAWAII KAI MARINA ON OAHU.. Appropriates \$ in FY 2007-2008 to department of transportation to install navigation lights on the bridge over Kalaniana'ole highway at the entrance to the Hawaii Kai marina, upon the provision by the United States Coast Guard of the necessary specifications.	Referred to TRN, FIN
482	RELATING TO CROSSWALKS: Prohibits placement of crosswalks on a public highway with two or more lanes of traffic traveling in the same direction unless there is a stop light or pedestrian crossing light.	Referred to TRN, PSM
483	RELATING TO CHECK CASHING: Requires the department of commerce and consumer affairs to regulate the check cashing industry through licensing requirements.	Referred to CPC, JUD Hearing held 1/24/07; passed unamended; referred to JUD
976	RELATING TO LOBBYIST: Expands the regulation of lobbyists to include the lobbying for administrative action extending beyond rule-making.	Referred to JUD
977	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS: Separates the positions of the Director of Hawaiian Home Lands and the chairperson of the Hawaiian Homes Commission.	Referred to WLH, FIN
978	RELATING TO GEOLOGISTS: Provides for the registration of professional geologists	Referred to WLH, CPC, FIN
979	RELATING TO THE DEPARTMENT OF AGRICULTURE: Separates the positions of the Director of Agriculture and the chairperson of the Board of Agriculture.	Referred to AGR, FIN
980	RELATING TO AIRPORT CONCESSIONS: Requires the price of a product sold by an airport concession to be at the average price of the same product offered for sale to the public elsewhere in the same county. Defines "average price" as the range of prices of a product varying within 5% above or below the median price of the product within a county.	Referred to TRN/EDB, FIN
1520	RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES: Separates the positions of the Director of Land and Natural Resources and the chairperson of the Board of Land and Natural Resources.	Referred to WLH, FIN
1521	RELATING TO GOVERNMENT OPERATIONS: Clarifying that the Aloha Spirit entails contemplation of the following in all actions by government officials: whether the action is the truth, is fair to all concerned, will build good will and better relationships, and will be beneficial to all concerned.	Referred to TAC, JUD

As of 1/26/07

1522	RELATING TO EDUCATION: Establishes a grant program in the department of education to develop curriculum, cross-discipline lesson plans, educational materials, and community-based projects to promote civic responsibility. Appropriates funds for program operations, teacher training, and social studies resource materials.	Referred to EDN, FIN
1523	RELATING TO ECONOMIC DEVELOPMENT: Establishes the Community-based Sustainability Grants Special Fund. Establishes the Hawaii Community-based Sustainability Advisory Board to provide technical assistance.	Referred to EDB, FIN
1524	RELATING TO GREENHOUSE GASES: Caps carbon dioxide emission levels of electricity plants at 2007 levels, and requires electricity plants to incrementally reduce carbon dioxide emissions to achieve a 10% reduction of 2007 carbon dioxide emission levels between 2015 and 2019. Appropriates \$ to the PUC for the program.	Referred to EEP, CPC, FIN
1722	RELATING TO EDUCATION: Establishes an early education workforce incentive program, provides quality enhancements to junior kindergarten, and increases early educator training opportunities. Authorizes general obligation bonds for the department of education to build additional facilities as part of the pre-plus initiative.	Referred to EDN, FIN Scheduled to be heard 2/12/07
1723	RELATING TO THE UNIVERSITY OF HAWAII: Establishes the family strengthening coordination center at the University of Hawaii.	Referred to HED/EDN, HSH, FIN
1724	RELATING TO EDUCATION: Requires all public school principals, vice-principals, and Department of Education teachers to satisfactorily complete at least one course in Hawaiian culture and language as part of their certification requirements.	Referred to EDN, WLH, FIN
1725	RELATING TO PHYSICIAN ASSISTANTS: Allows licensed physician assistant to provide medical care or assistance during disaster or emergency conditions. Authorizes any physician to supervise a physician assistant in a disaster or emergency condition. Exempts physician assistants from liability for good faith assistance during disaster or emergency conditions.	Referred to HLT,CPC,JUD
1726	ESTABLISHING THE ADVANCED COLLEGE TUITION PAYMENT PROGRAM: Establishes the Advanced College Tuition Payment Program to ameliorate the effects of inflation and other increases on the cost of higher education	Referred to HED, FIN
1727	RELATING TO AGRICULTURE: Requires department of agriculture to apply the precautionary principle in making a decision on all permit or certification applications.	Referred to AGR, EEP, FIN
1728	RELATING TO THE STATE WATER CODE: Requires dual line water supply systems in all golf courses	Referred to WLH
1765	RELATING TO THE UNIVERSITY OF HAWAII: Establishes the candidate advisory council to screen and propose candidates for appointment to the board of regents of the University of Hawaii. Increases the board of regents membership to fifteen members with a specified number of members representing different geographic areas. Prohibits a board of regents member from serving more than two consecutive five-year terms. Requires the senate to consider the question of an incumbent member's confirmation for a second term at least 120 days prior to the conclusion of the member's first term. Allows a board of regents member to continue to serve until the member's successor has been appointed and confirmed by the senate.	Referred to HED, FIN